

FILED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TX  
FORT WORTH DIVISION

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

MGE UPS SYSTEMS, INC.

Plaintiff,

vs.

POWER MAINTENANCE  
INTERNATIONAL, INC., GENERAL  
ELECTRIC COMPANY, GE INDUSTRIAL  
SYSTEMS, INC., GE CONSUMER &  
INDUSTRIAL, INC., POWER  
PROTECTION SERVICES, LLC and BILL  
WILKIE,

Defendants.

CIVIL ACTION NO. 4:04-CV-929-Y  
ECF

**PLAINTIFF MGE UPS SYSTEMS, INC.'S MOTION FOR PARTIAL SUMMARY  
JUDGMENT AGAINST DEFENDANTS GENERAL ELECTRIC COMPANY  
AND POWER MAINTENANCE INTERNATIONAL, INC.**

TO THE HONORABLE COURT:

Plaintiff MGE UPS Systems, Inc. ("MGE") files this Motion for Partial Summary Judgment Against Defendants General Electric Company and Power Maintenance International, Inc. pursuant to Rule 56 of the Federal Rules of Civil Procedure seeking judgment on Plaintiff's presented claims. Pursuant to Local Rule 56.3(b) of the Local Rules of the Northern District of Texas, Plaintiff states that the matters required by Local Rule 56.3(a) are set forth in its Brief in Support of MGE UPS Systems, Inc.'s Motion for Partial Summary Judgment, which is filed contemporaneously with this Motion.

WHEREFORE, PREMISES CONSIDERED, Plaintiff MGE UPS Systems, Inc. respectfully requests that the Court grant summary judgment on Plaintiff's presented claims as well as any other and further relief to which it may be justly entitled.

Respectfully submitted,

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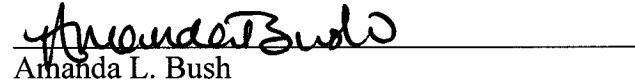
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ATTORNEYS FOR PLAINTIFF MG&E UPS  
SYSTEMS, INC.

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Plaintiffs has conferred with opposing counsel regarding the merits of the foregoing Motion and they oppose the relief requested therein. It is therefore presented to the Court for determination.

Certified this 18<sup>th</sup> day of November 2005.

  
Amanda L. Bush

**CERTIFICATE OF SERVICE**

This is to certify that on this 18<sup>th</sup> day of November 2005, a true and correct copy of the foregoing **Brief in Support of Plaintiff MGE UPS Systems, Inc.'s Motion for Partial Summary Judgment** was served upon the following as indicated below:

**Via Hand Delivery**

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